

CITY OF OAKLAND



DALZIEL BUILDING • 250 FRANK H. OGAWA PLAZA • SUITE 2114 • OAKLAND, CALIFORNIA 94612

Planning and Building Department

(510) 238-3941

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Memorandum

To: City of Oakland Planning Commission, Design Review Committee

Cc: Catherine Payne, Secretary to the Design Review Committee

From: Mike Rivera, Planner 

Date: November 28, 2018

Re: 1750 Broadway. Case Files PLN18369/ ZP170064. Proposed Mixed Use High-Rise.

Summary

On January 31, 2018 the Design Review Committee (DRC) reviewed the proposed 1750 Broadway mixed use high-rise project, and provided comments. The DRC recommended articulation of the garage screen wall and refinement of the ground floor facade. The DRC also heard public testimony from the adjacent residential tenants and commercial tenants from the subject property. The DRC recommended the applicant continue discussion with the tenants regarding the leasing terms and relocation of the existing office space. The DRC continued the application to a date certain (See staff report, dated January 31, 2018 in **Attachment 3.**)

On February 28, 2018 the application was scheduled for public review by the Design Review Committee, but upon the applicant's request, the DRC continued the application to a later date. Although the application was not discussed at this DRC meeting, a staff report was prepared and distributed to the DRC and public. This staff report contained an evaluation based on revised design plans received on February 9, 2018, and applicant's responses to public comments made on the project (See staff report, dated February 28, 2018 in **Attachment 2.**)

On November 9, 2018, the applicant submitted revisions to the design plans and a letter indicating meetings that have occurred with the tenants of the subject property to discuss the terms of their office lease. The applicant has stated that no formal agreements have been reached with the commercial tenants, but that they will continue to assist in the relocation of tenant offices. Furthermore, the applicant indicated that meetings were held with BART officials to discuss the 19th Street BART access elevator, located within the project site. The applicant intends to maintain the elevator access to the BART station, and will continue to work with BART to keep the elevator in the new development (See applicant's letter in **Attachment 1.**)

Design Updates

Based on revised plans submitted on November 9, 2018 (**Attachment 1**), the following are minor modifications made to the project:

Garage Screen Wall

- The plans show the south facing metal screen wall was pulled in approximately four feet to the north to provide better symmetry with the building facade and create visual interest.

Streetscape

- The plans clarify and note the proposed bicycle racks and street trees to be removed and replaced along Broadway.

Staff Recommendation

Based on revised plans and documents submitted, staff believes the applicant has responded to the comments made by the Design Review Commission. The record demonstrates that the applicant has held meetings with the commercial tenants regarding the terms of their lease, and showed efforts to work with the tenants in finding a solution. In addition, staff believes the revised plans respond to the comments made by the DRC and staff. Overall, staff supports the project and recommends the application move forward to the Planning Commission.

RUBICON POINT

PARTNERS

Rubicon Point Partners, LLC
55 2nd Street, Suite 1900
San Francisco, CA 94105
(415) 500-6400 Main
(877) 702-2738 Fax

Thursday, November 8, 2018

Mike Rivera
Major Planning, Bureau of Planning
250 Frank H. Ogawa, Suite 2114
City of Oakland
Oakland, CA 94612
Phone: (510) 238-6417
Fax: (510) 238-4730

Re: 1750 Broadway (Case File Number: ZP170064) - Project Update and Resubmission to the Design Review Committee Meeting

Dear Mr. Rivera,

We are writing to provide an update on our project at 1750 Broadway and to resubmit our plans for review by the Design Review Committee (DRC). The purpose of this letter is to provide additional updates on information requested by staff in response to our letter dated August 28th, 2018. Some of the information discussed in the August 28th letter is repeated here for ease of review.

The project was originally presented to the DRC on January 31st, 2018. The committee members and staff provided several recommendations on the design, which were captured on the corresponding staff report for that meeting. We have been working diligently with our architects and consultants to address staff's recommendations and deliver a design that will enhance and contribute to the thriving Uptown Oakland neighborhood.

In parallel with addressing staff's recommendations, we have also been working to continue design development of the building. We had originally planned to present our responses to the DRC's recommendation at the February 28th meeting, but as we were preparing for the meeting, we identified some design elements of the building that needed to be reevaluated. Rather than risk presenting a design that might need to be revised and re-presented, we opted to address those design elements before presenting to the committee, most of which impacted the interior of the project, including the interior layouts of residential units and mechanical equipment interfaces. We are resubmitting this updated design to the committee, which also addresses the recommendations made at the January 31st DRC hearing. Below is a discussion of additional information requested by staff.

Discussions with BART Regarding the Elevator: Staff requested that we initiate conversations with BART with respect to the elevator in the building that serves the 19th

Street BART station and the proposed replacement of that elevator in the new development. On September 12, 2018, we met with several members of BART's Real Estate, Planning, and Development groups to discuss the existing elevator and our plans to maintain elevator access to the BART Station in the new development. We also met with the President of BART's Board of Directors, Robert Raburn, who is also the BART Director for District 4 (which includes the 19th Street Station), on October 15, 2018. BART was generally accepting of our plans to maintain elevator access to the station in the new development, and all parties agreed to continue to work together on the design of the elevator as design development of the building progresses. In the meetings with BART, we also agreed to work together on maintaining ADA access to the 19th Street BART station. We will continue to work with BART to find a feasible solution for providing ADA access to the 19th Street station. We have already scheduled an additional meeting with members of the District Architect's office on November 8, 2018, to continue discussions.

Easement for Cornice on 1770 Broadway: Staff requested that we execute an easement with the adjacent property to the north of the project at 1770 Broadway. The building at 1770 Broadway has a cornice that wraps around the southwest corner of the property and encroaches a few feet across the property line onto our property. The design of the development had already taken this encroachment into account, as shown in the re-submittal package. We have contacted the owner of 1770 Broadway and obtained their verbal agreement to execute an easement for the encroachment of the cornice onto our property. The owner of 1770 Broadway is currently reviewing draft easement language that we provided to them, and we expect to have an executed easement prior to presenting to the DRC.

Tenant Discussions: Staff requested additional details on conversations that we have held with the existing tenant in the property, Transdev. Transdev is a privately-owned company that provides contracted transportation services of varying types across North America. The Transdev offices at 1750 Broadway have a contract with BART & AC Transit to provide paratransit services (i.e., transportation services for individuals with disabilities) throughout the East Bay. Transdev currently has a lease in the property with approximately 7 years remaining on the lease term. The tenant also has a 5-year renewal option that can be exercised at the end of the current lease term.

First and foremost, we recognize the valid leasehold interest that Transdev has in the property and that they may remain in the building for remainder of that leasehold. We also recognize the critical services that Transdev provides to the community and that development of this project will require reaching an agreement with Transdev to relocate. We are applying for entitlements of this development with that understanding, and it is our hope and belief that we will be able to come to an agreement with Transdev that satisfies their space needs in downtown Oakland.

To date, we have had numerous interactions with Transdev and the affiliated stakeholders regarding their lease in the building. Attached to this letter is a tabulation of 61 separate interactions with the stakeholders, including correspondence, phone calls, in-person meetings, and a formal mediation session that was conducted on April 5th, 2018. Twenty-

one (21) of these interactions occurred since the DRC meeting on January 31st, 2018. While the nature of these discussions is confidential and has not yet resulted in any formal agreements, we have openly communicated with Transdev that we are willing to work with them to find a solution for their space needs in downtown Oakland while also allowing the for the potential future redevelopment of the property.

As you know, Oakland and the entire Bay Area is in a housing crisis. The project at 1750 Broadway would add 307 new residential units in the heart of the City on an underdeveloped, transit-oriented site. These units will be located along Broadway and directly on top of mass transit in a state-of-the-art building. The project is anticipated to bring over 450 new residents to Oakland and generate \$3 million in new annual tax revenue from increased property taxes and business license taxes. The project is anticipating paying over \$11 million in affordable housing impact fees and permit fees and is expected to create close to 1,000 jobs during construction.

In sum, we believe that the project, as currently proposed, addresses the comments raised by DRC and creates a significant benefit to the City. If you have any questions or need any additional information, please let me know.

Sincerely,

Chris Relf
Construction Management Director
Rubicon Point Partners

Meetings, Correspondence, and Interactions with Transdev, AC Transit & BART

No.	Date	Interaction Type	Participants
1	08/02/2016	Correspondence	Transdev, Rubicon
2	08/09/2016	Correspondence	Transdev, Rubicon
3	08/15/2016	Correspondence	Transdev, Rubicon
4	08/16/2016	Correspondence	Transdev, Rubicon
5	12/07/2016	Correspondence	Transdev, AC Transit, BART, Rubicon
6	01/12/2017	In-Person Meeting	Transdev, AC Transit, BART, Rubicon
7	01/13/2017	Correspondence	Transdev, AC Transit, Rubicon
8	01/16/2017	Correspondence	Transdev, AC Transit, Rubicon
9	01/31/2017	Correspondence	Transdev, AC Transit, Rubicon
10	02/08/2017	Correspondence	Transdev, AC Transit, Rubicon
11	03/03/2017	Correspondence	Transdev, Rubicon
12	03/24/2017	Correspondence	Transdev, Rubicon
13	03/31/2017	Correspondence	AC Transit, Rubicon
14	04/07/2017	Correspondence	AC Transit, Rubicon
15	04/11/2017	Correspondence	Transdev, AC Transit, BART, Rubicon
16	04/17/2017	In-Person Meeting	AC Transit, Rubicon
17	05/12/2017	Correspondence	Transdev, AC Transit, BART, Rubicon
18	07/07/2017	Correspondence	AC Transit, Rubicon
19	07/12/2017	Correspondence	AC Transit, Rubicon
20	07/17/2017	Correspondence	Transdev, Rubicon
21	07/23/2017	Correspondence	AC Transit, Rubicon
22	08/10/2017	Correspondence	Transdev, Rubicon
23	08/18/2017	Correspondence	AC Transit, Rubicon
24	08/30/2017	Correspondence	AC Transit, Rubicon
25	09/08/2017	Correspondence	AC Transit, Rubicon
26	09/14/2017	Correspondence	Transdev, Rubicon
27	09/25/2017	Correspondence	Transdev, Rubicon
28	09/29/2017	Correspondence	Transdev, AC Transit, BART, Rubicon
29	10/04/2017	Correspondence	Transdev, AC Transit, BART, Rubicon
30	10/08/2017	Correspondence	Transdev, AC Transit, Rubicon
31	10/11/2017	Correspondence	Transdev, AC Transit, BART, Rubicon
32	10/23/2017	Correspondence	Transdev, Rubicon
33	10/23/2017	Correspondence	Transdev, Rubicon
34	10/31/2017	Correspondence	Transdev, Rubicon
35	11/14/2017	In-Person Meeting	Transdev, Rubicon
36	11/16/2017	Correspondence	Transdev, Rubicon
37	12/11/2017	Correspondence	Transdev, Rubicon
38	12/12/2017	Correspondence	Transdev, Rubicon

No.	Date	Interaction Type	Participants
39	01/04/2018	Correspondence	Transdev, Rubicon
40	02/28/2018	Correspondence	Transdev, AC Transit, BART, Rubicon
41	03/01/2018	Correspondence	Transdev, Rubicon
42	03/01/2018	Phone Call	Transdev, Rubicon
43	04/02/2018	Correspondence	Transdev, Rubicon
44	04/04/2018	Correspondence	Transdev, Rubicon
45	04/05/2018	Full-Day, In-Person Mediation Session	Transdev, AC Transit, BART, Rubicon
46	04/06/2018	Correspondence	Transdev, Rubicon
47	04/23/2018	Correspondence	Transdev, Rubicon
48	04/25/2018	Correspondence	Transdev, AC Transit, BART, Rubicon
49	05/01/2018	Correspondence	Transdev, AC Transit, BART, Rubicon
50	05/17/2018	Correspondence	Transdev, AC Transit, BART, Rubicon
51	05/30/2018	In-Person Meeting	Transdev, Rubicon
52	06/07/2018	In-Person Meeting	Transdev, Rubicon
53	08/21/2018	Correspondence	Transdev, AC Transit, BART, Rubicon
54	08/29/2018	Correspondence	Transdev, Rubicon
55	08/29/2018	In-Person Meeting	Transdev, Rubicon
56	08/29/2018	In-Person Meeting	AC Transit, Rubicon
57	08/31/2018	Correspondence	Transdev, Rubicon
58	09/17/2018	Correspondence	Transdev, AC Transit, BART, Rubicon
59	09/20/2018	Correspondence	Transdev, Rubicon
60	10/15/2018	In-Person Meeting	BART, Rubicon
61	10/25/2018	Correspondence	AC Transit, Rubicon
62	11/08/2018	In-Person Meeting	Transdev, Rubicon
62	11/08/2018	In-Person Meeting	BART, Rubicon

Will Sandman

From: Robert Raburn <Robert.Raburn@BART.gov>
Sent: Monday, October 22, 2018 10:55 AM
To: Will Sandman
Cc: Chris Relf; Ani Vartanian; Razmig Boladian; Tian Feng
Subject: Re: Raburn / Rubicon Meeting at 1750 Broadway

Dear Mr Sandman - I appreciate the opportunity to meet with your group. I shared your contact info with senior BART Staff and suggested that Tian Feng (copied) be engaged in the elevator design process with you at the earliest stages of your proposal. There was agreement that this is prudent move.

-Robert Raburn, PhD
Director - District 4
SF Bay Area Rapid Transit
(510) 530-3444 hm/msg

From: Will Sandman <will@RubiconPoint.com>
Sent: Thursday, October 18, 2018 3:00:38 PM
To: Robert Raburn
Cc: Chris Relf; Ani Vartanian; Razmig Boladian
Subject: RE: Raburn / Rubicon Meeting at 1750 Broadway

Mr. Raburn,

We just wanted to thank you again for taking the time to meet with us to discuss our project at 1750 Broadway. It also great to hear about the transportation initiatives that you and you team are working on – we're huge supporters of improving our mass transit systems! When you have a chance, could you please send me the contact information for the architect that you mentioned? I think you said his name is Tian Feng. We'll reach out and set up a meeting to continue our discussions.

Thanks again,
Will

Will Sandman | Rubicon Point Partners | Director | 415 500 6409 o | 617 835 6634 c | Will@RubiconPoint.com | 55 2nd Street, Suite 1900, San Francisco, CA 94105 | RubiconPoint.com

NOTE: Our offices have moved

From: Robert Raburn <Robert.Raburn@BART.gov>
Sent: Monday, October 15, 2018 1:04 PM
To: Will Sandman <will@RubiconPoint.com>
Cc: Chris Relf <chris@RubiconPoint.com>
Subject: Re: Raburn / Rubicon Meeting at 1750 Broadway

I look forward to seeing you at 2:30pm.

-Robert Raburn, PhD
Director - District 4

SF Bay Area Rapid Transit
(510) 530-3444 hm/msg

From: Will Sandman <will@RubiconPoint.com>
Sent: Monday, October 15, 2018 9:08:34 AM
To: Robert Raburn
Cc: Chris Relf
Subject: RE: Raburn / Rubicon Meeting at 1750 Broadway

Hi Mr. Raburn,

Looking forward to our meeting this afternoon. I'll meet you in front of 1750 Broadway near the BART elevator.

Best,
Will

Will Sandman | Rubicon Point Partners | Director | 415 500 6409 o | 617 835 6634 c | Will@RubiconPoint.com | 55 2nd Street, Suite 1900, San Francisco, CA 94105 | RubiconPoint.com

NOTE: Our offices have moved

-----Original Appointment-----

From: Will Sandman
Sent: Friday, October 05, 2018 4:19 PM
To: Will Sandman; Robert Raburn; Razmig Boladian; Chris Relf; Ani Vartanian
Subject: Raburn / Rubicon Meeting at 1750 Broadway
When: Monday, October 15, 2018 2:30 PM-3:00 PM (UTC-08:00) Pacific Time (US & Canada).
Where: 1750 Broadway, Oakland, CA

Will Sandman | Rubicon Point Partners | Director | 415 500 6409 o | 617 835 6634 c | Will@RubiconPoint.com | 55 2nd Street, Suite 1900, San Francisco, CA 94105 | RubiconPoint.com

NOTE: Our offices have moved

Update Log For DRC Presentation Revision 3 to Revision 4

P. 15:

- Notes added for (3) Trees to be removed and replaced, one (E) Tree to be protected.
- Drawing revised to show 2 short-term bike parking locations consistent with Basic Application for Development Review

P. 18 & 22:

- Planting Key added with types of plants/trees that will be on the amenity deck.
- Open space calculations added, consistent with Basic Application for Development Review

P. 27:

- "D.R.C. Revision Comments (1/31/2018)" has been highlighted in yellow

P. 28, 29, 30:

- Text added to the upper right-hand corner of each page: "Applicant proposes 3 options. Application recommends Option 1C"

P. 30:

- Text added: "Recommended Option"

P. 31:

- Captions at the bottom of the page to describe each material.
- The material between the ground floor and art screen has been identified.
- Tower glass clarified as light color as per January DRC

P. 33:

- Title block revised to say: "Tower Elevations / Profiles".
- Subtitle added: "See pages 41 & 47 for color renderings"

Appendix A

- Page added with the erosion control drawing

Appendix B

- Page added with the topographic survey drawing

Below is the page order of the Basic Application for Development Review Drawings. This list is also on page G001 of the drawing set. The methodology for the page numbering is based on internal guidance that Handel uses for all of its drawings.

G is for "General"
 C for "Civil"
 A for "Architectural"

BASIC APPLICATION FOR DEVELOPMENT REVIEW		
Sheet Number	Sheet Name	PLANNING - DRC

X

01 - GENERAL

G000-1	COVER	X
G001	DRAWING LIST/ UNIT MIX SUMMARY	X
G002B	OPEN SPACE CALCULATION	X
G003A	SITE PLAN	X
G003B	TREE PROTECTION PLAN	X

09 - CIVIL

C000A	ALTA SURVEY REFERENCE ONLY	X
C000B	EXISTING SITE PLAN REFERENCE ONLY	X
C1.0	PROPOSED GRADING PLAN	X
C2.0	STORMWATER MANAGEMENT PLAN	X
C3.0	EROSION CONTROL PLAN	X
S02.01	GRADING SURVEY	X

30 - ARCHITECTURAL

A100-1	LEVEL B1 FLOOR PLAN	X
A101-1	LEVEL 1 FLOOR PLAN / LANDSCAPE PLAN	X
A102-1	LEVEL 2 FLOOR PLAN/LANDSCAPE PLAN	X
A103-1	LEVEL 3-5 FLOOR PLAN	X
A106-1	LEVEL 6 FLOOR PLAN	X
A107-1	LEVEL 7 FLOOR PLAN/LANDSCAPE PLAN	X
A108-1	LEVEL 8-19 FLOOR PLAN	X
A120-1	LEVEL 20-26 FLOOR PLAN	X
A127-1	LEVEL 27-33 FLOOR PLAN	X
A135-1	LEVEL 35 FLOOR PLAN	X
A136-1	LEVEL 36 FLOOR PLAN/LANDSCAPE PLAN	X
A137-1	LEVEL 37 MECHANICAL ROOF PLAN	X
A138-1	LEVEL 38 HIGH ROOF PLAN	X
A200	ELEVATION WEST & NORTH	X
A201	ELEVATION EAST & SOUTH	X
A210	BUILDING SECTIONS	X

Grand total: 27



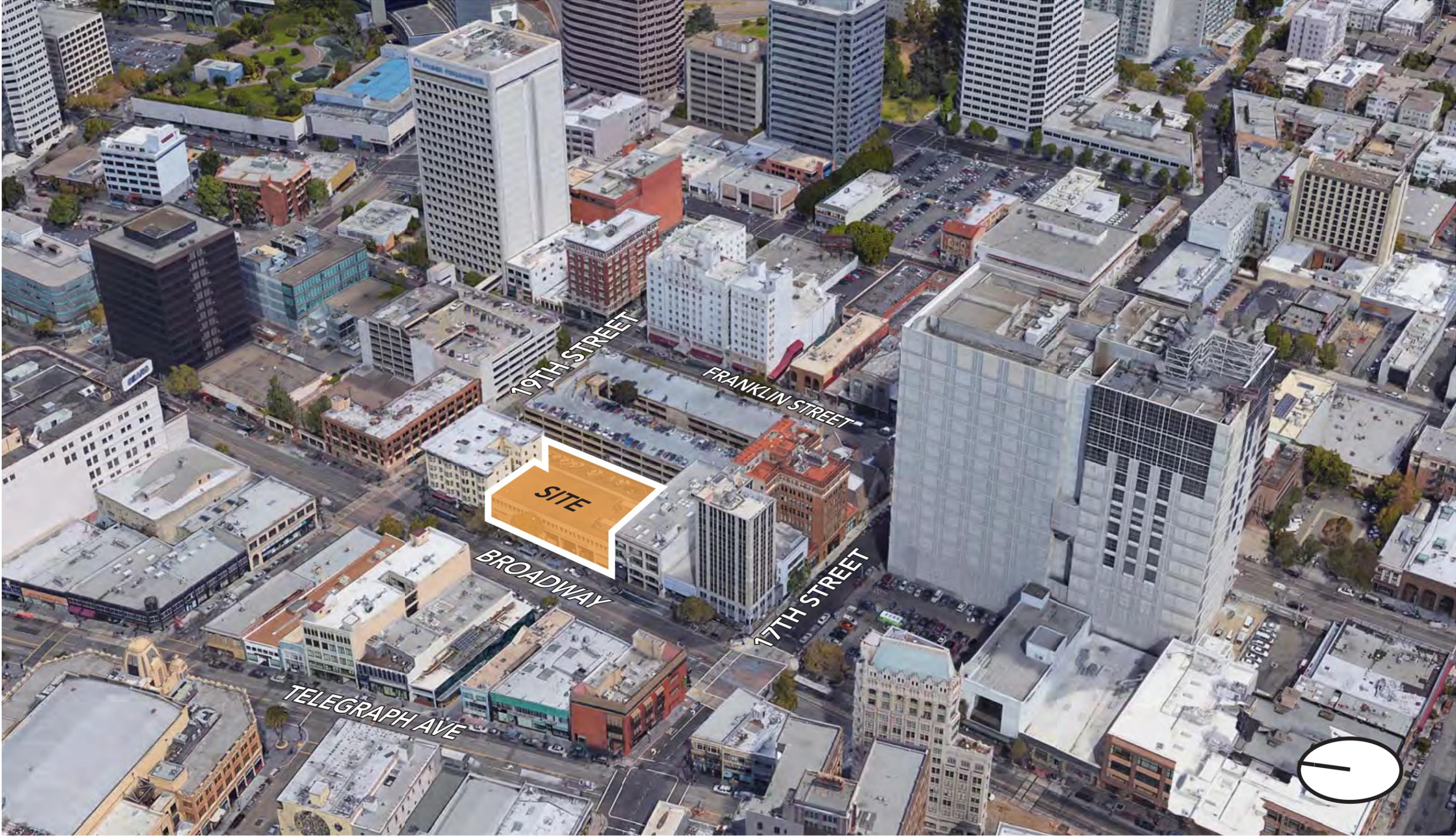
1750 BROADWAY

OAKLAND, CALIFORNIA
DESIGN REVIEW - REVISION 4
NOVEMBER 07, 2018

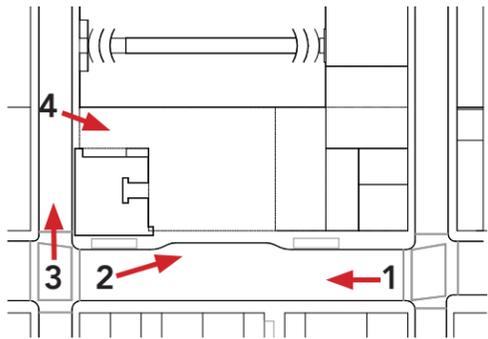
PROJECT INFORMATION

Development Team :	Rubicon Point Partners
Architectural Team :	Handel Architects
Location :	1750 Broadway
Project Type:	Mix-use Residential Apartments / Retail
Site:	27,600 SF
Number of units:	307
Residential:	341,880 GSF (273,270 NSF)
Number of parking stalls:	170
Garage:	114,240 GSF
Mechanical:	19,980 GSF
Retail:	5,000 GSF
Project Total:	approximately 499,676 SF

SITE



SITE PHOTOS



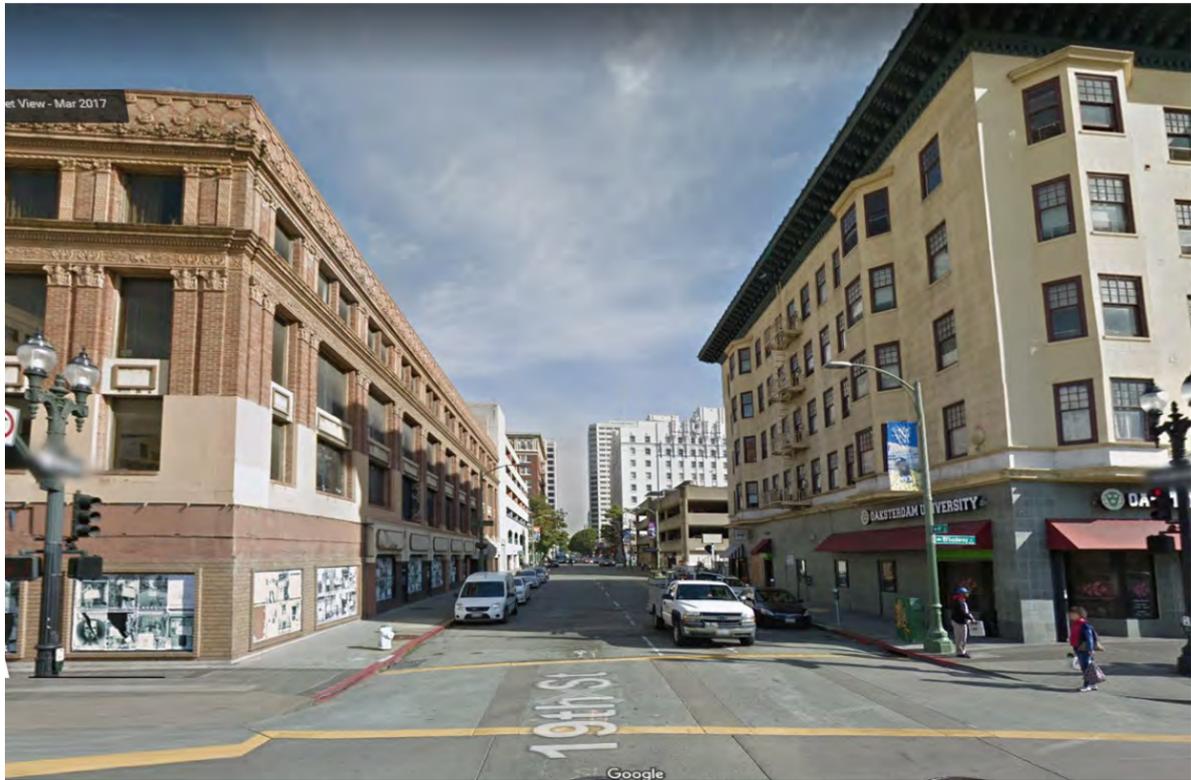
1



2



3



4



UPTOWN HUB

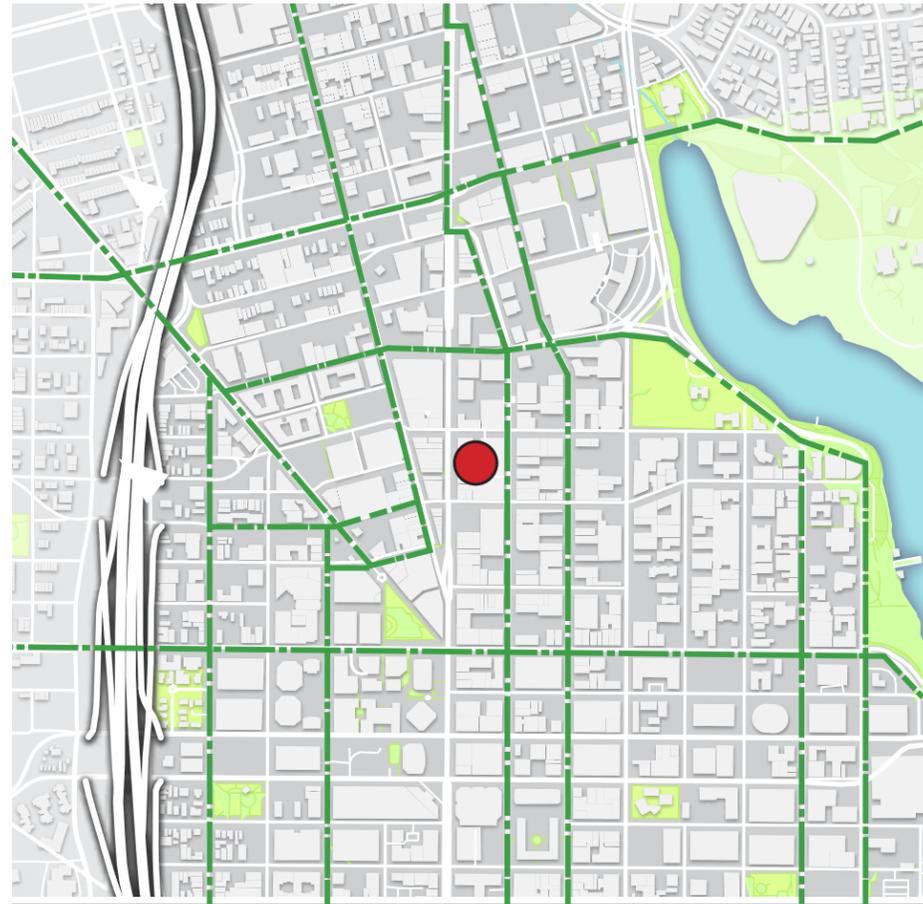
CENTRAL BUSINESS DISTRICT - PEDESTRIAN RETAIL COMMERCIAL ZONE



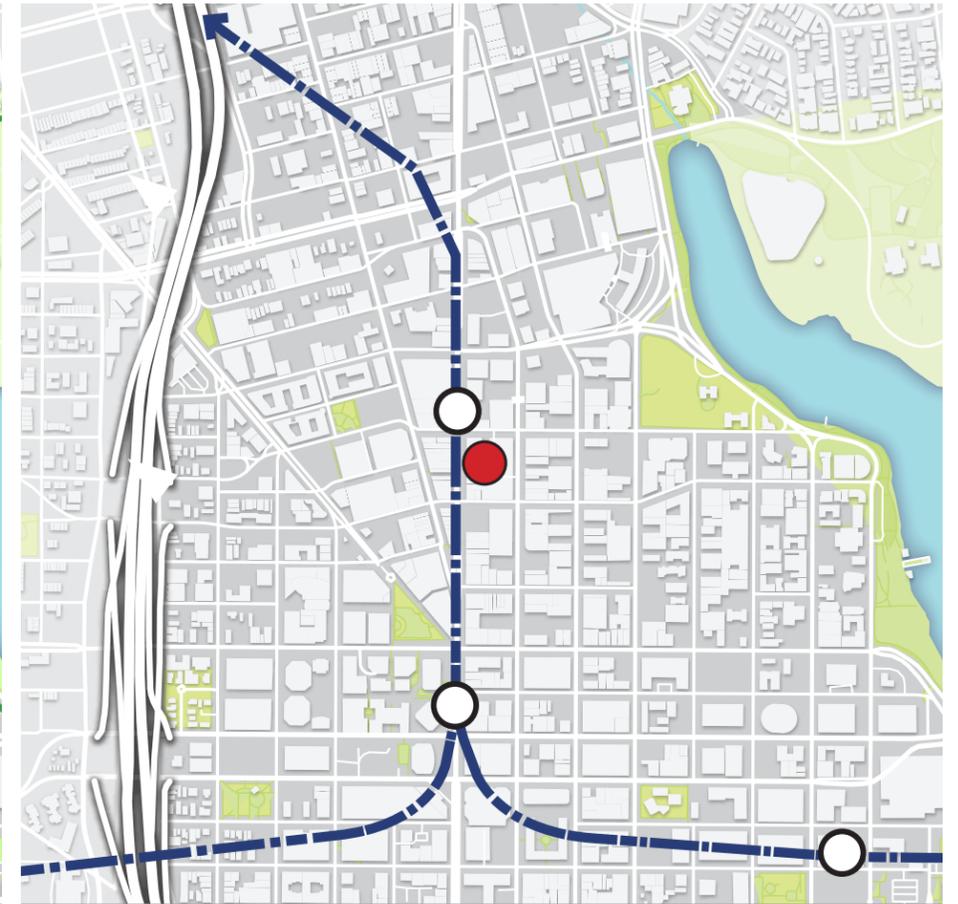
MOVEMENT



10 MIN WALKING RADIUS



BIKE PATH



BART



SURROUNDING AMENITIES

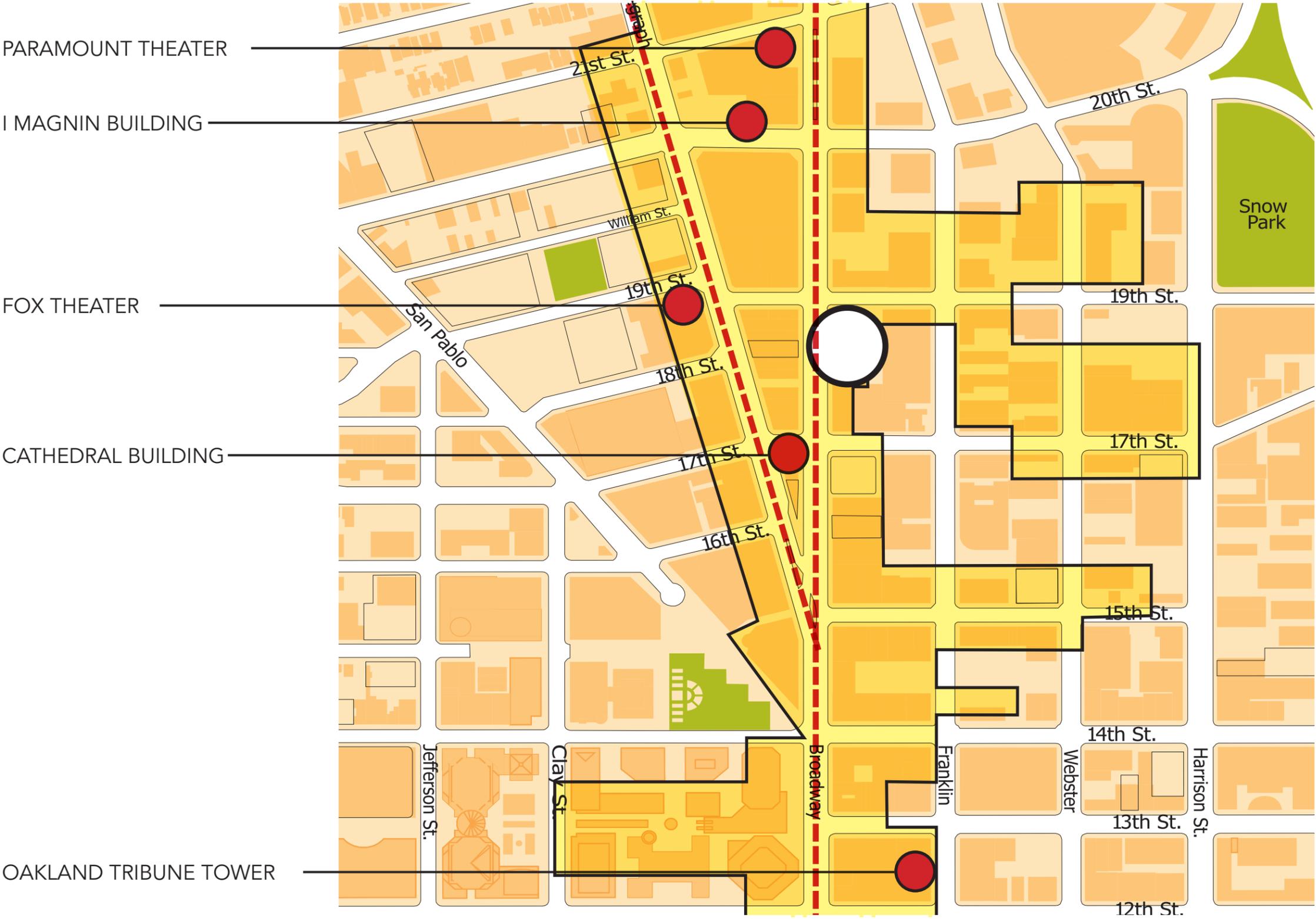


UPTOWN VIBE



UPTOWN LANDMARKS

CENTRAL BUSINESS DISTRICT - PEDESTRIAN RETAIL COMMERCIAL ZONE



UPTOWN LANDMARKS

PARAMOUNT THEATER



OAKLAND TRIBUNE TOWER



CATHEDRAL BUILDING



I MAGNIN BUILDING



FOX THEATER



FUTURE DEVELOPMENTS



1721 WEBSTER
Holland Partner Group
270'
Approved



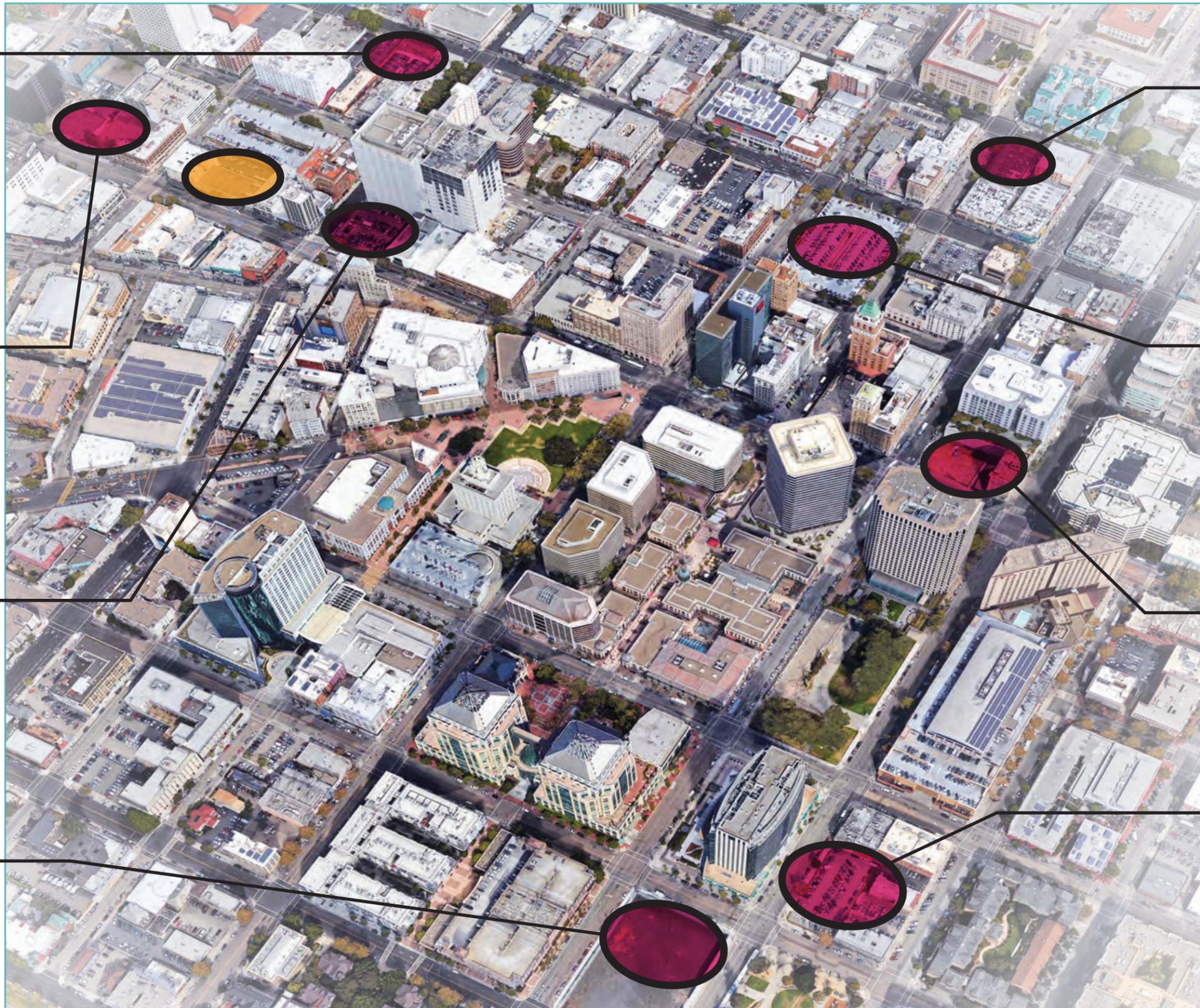
1900 BROADWAY
Brick LLP
339'
Approved



1640 BROADWAY
Lennar
380'
Under Construction



601 CITY CENTER
Shorenstein
24 story
Under Construction



1261 Harrison
Pinnacle Red Group
360'
Pending Approval



1314 FRANKLIN
Carmel Partners
401'
Approved



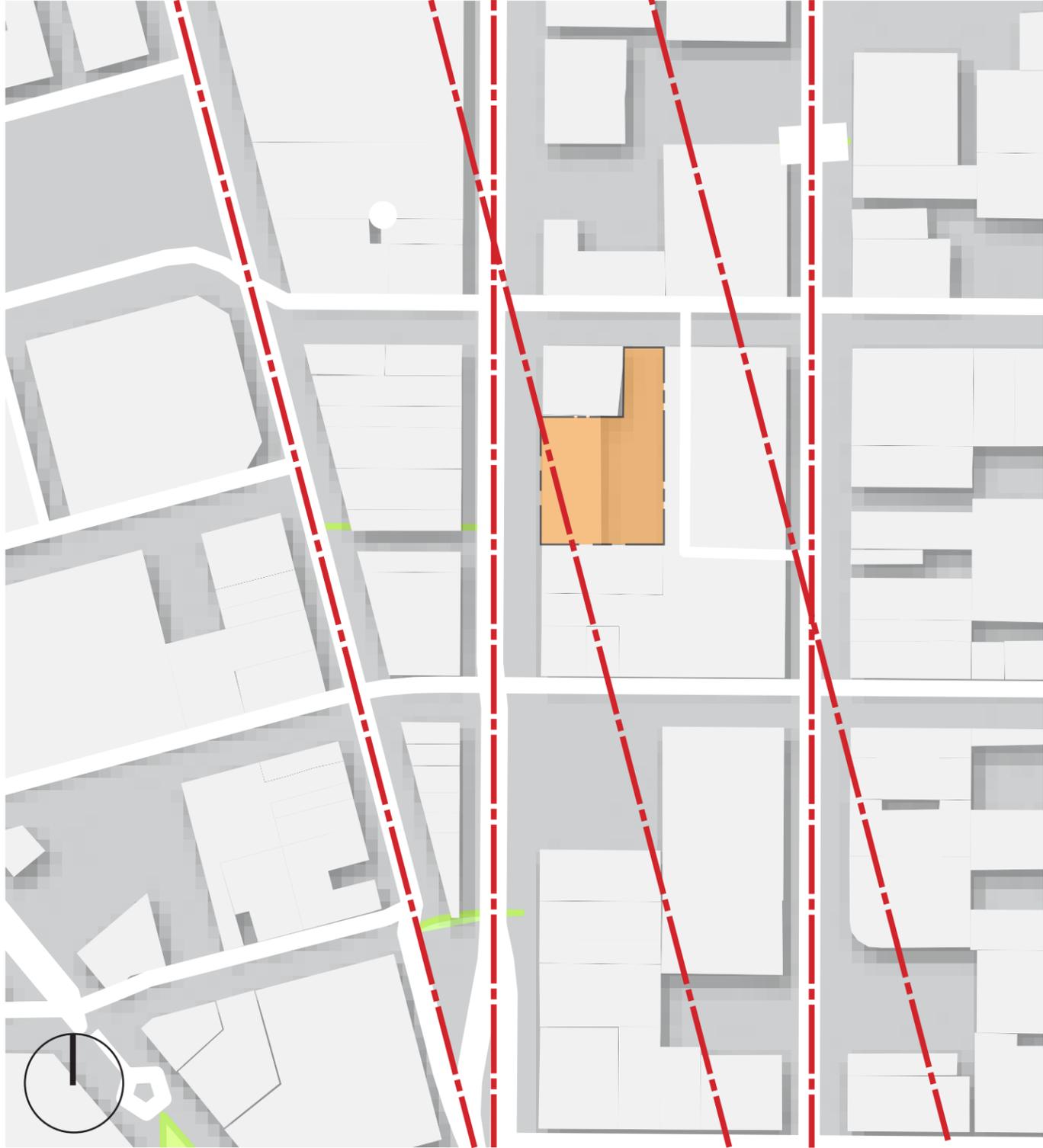
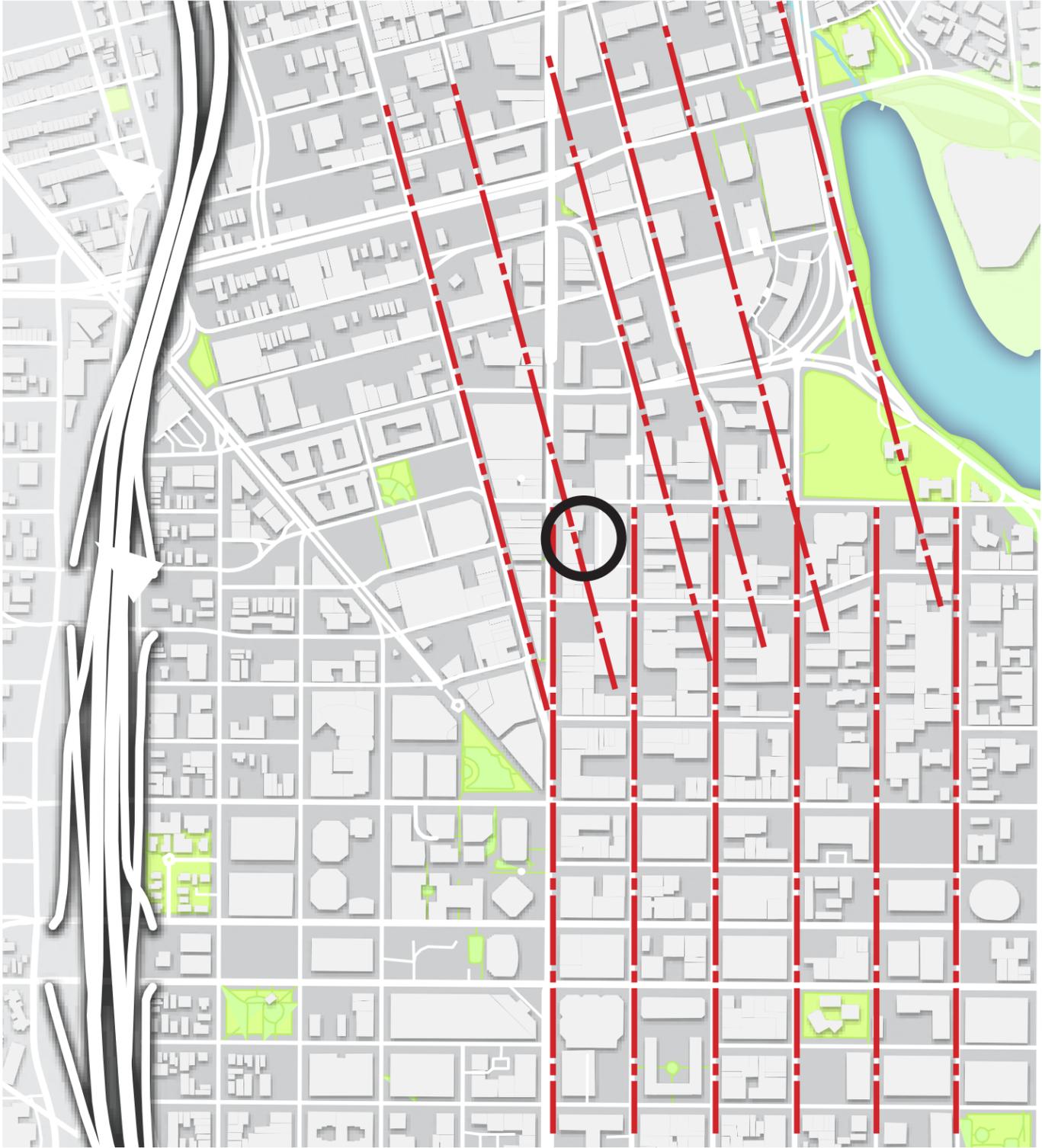
1100 BROADWAY
Ellis Partners
240'
Pending Approval



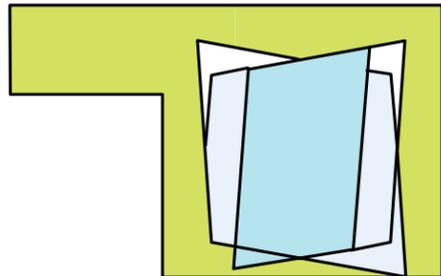
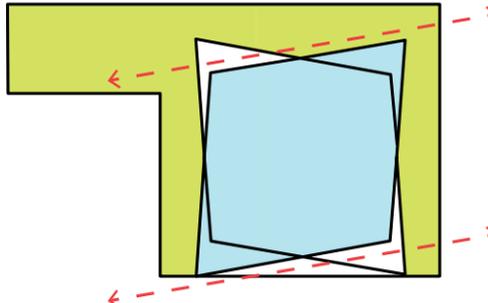
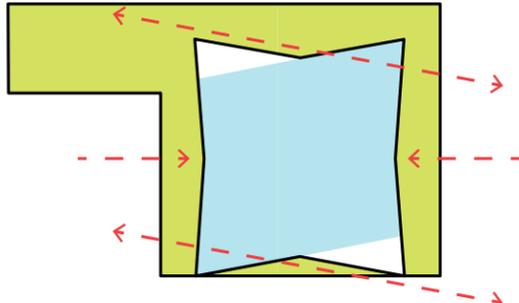
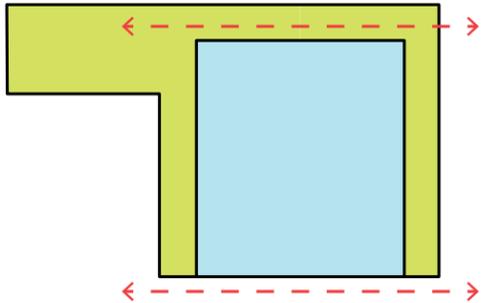
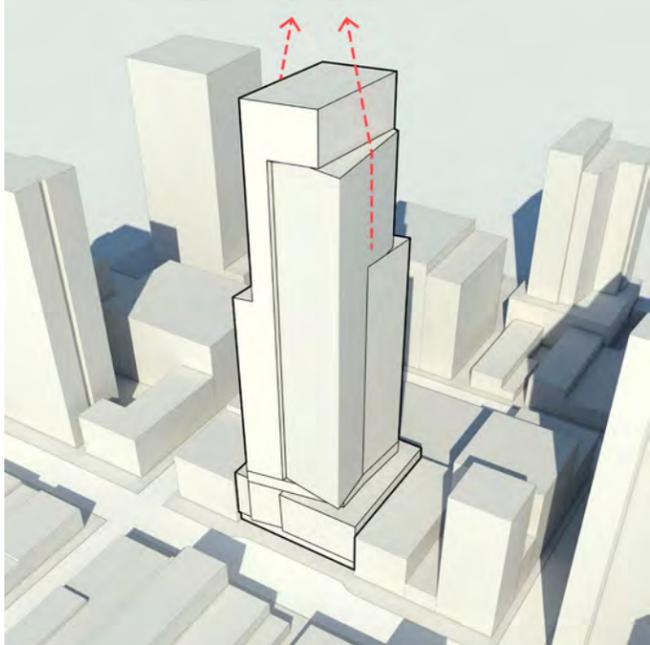
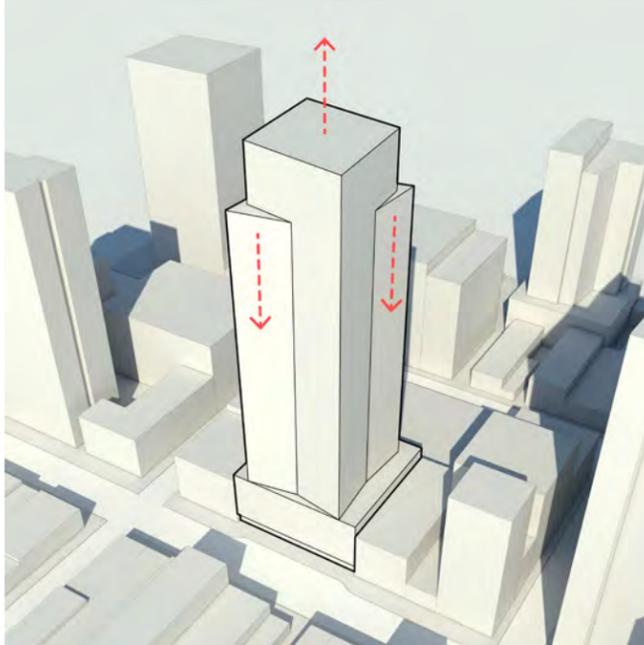
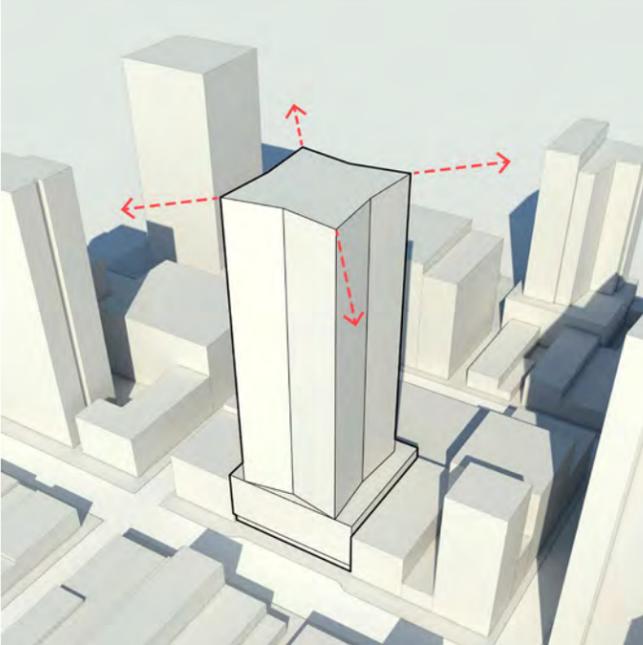
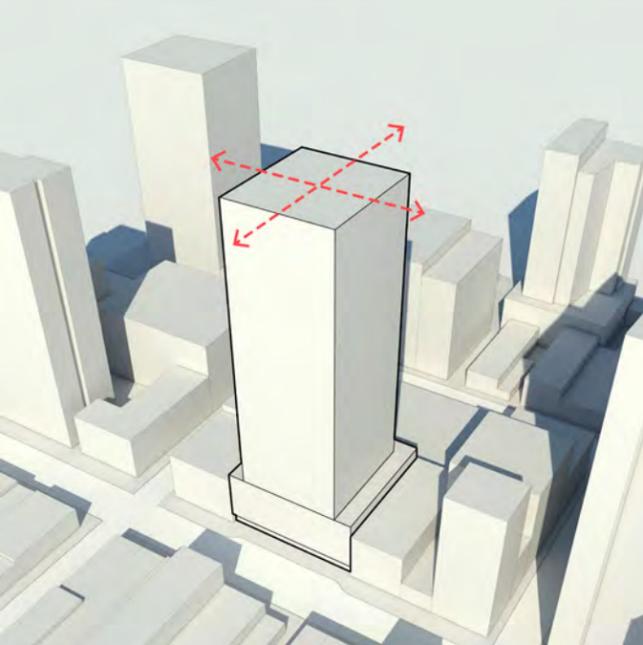
1100 CLAY
Strada Investment Group
181'
Building Permit Pending

BUILDING MASSING

TOWER CONCEPT



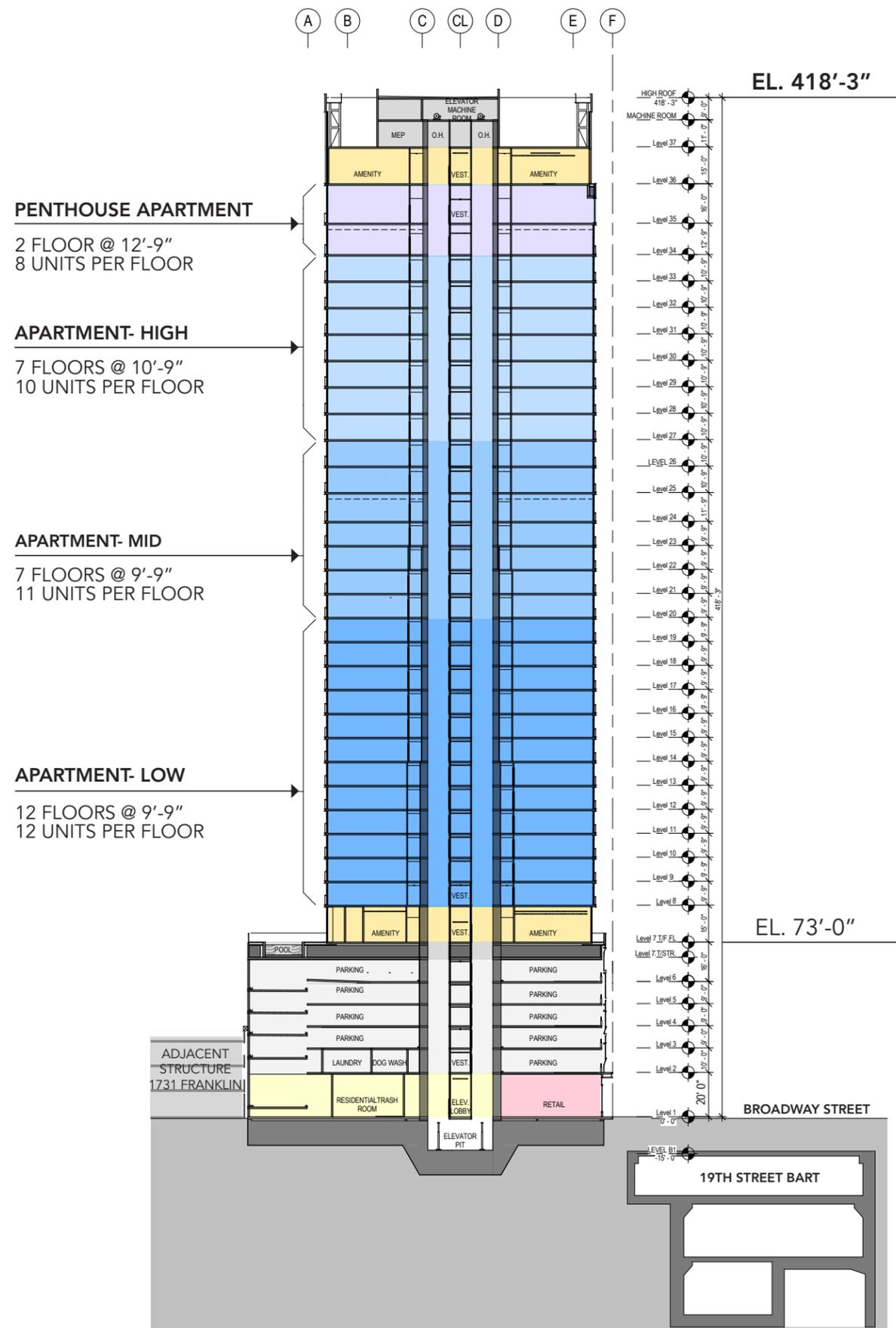
BUILDING MASSING TRANSFORMATION



BUILDING SECTION

EAST-WEST

PROGRAM STACKING



GROUND FLOOR PLAN

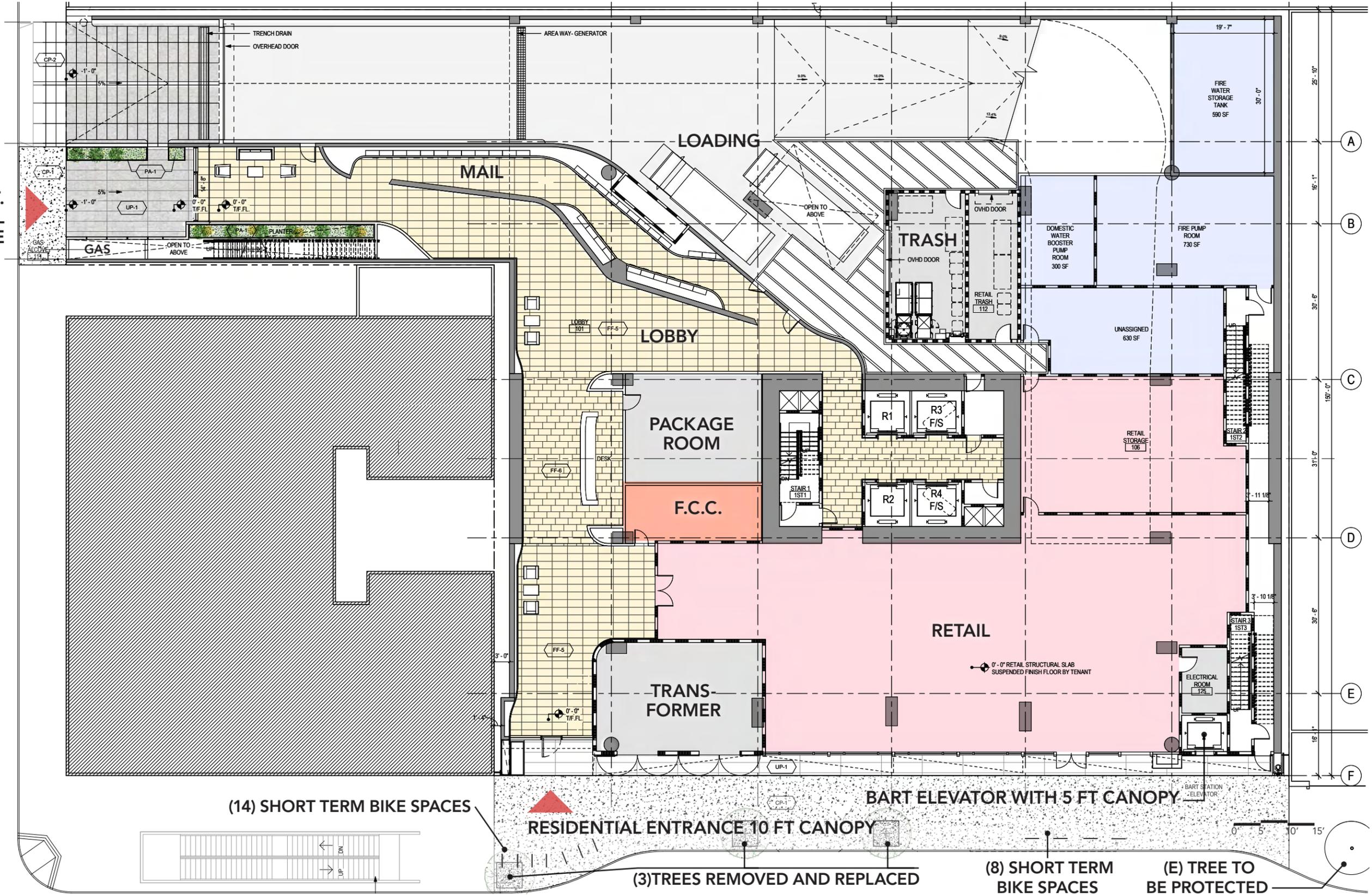
APARTMENT LOBBY

RETAIL

LOADING

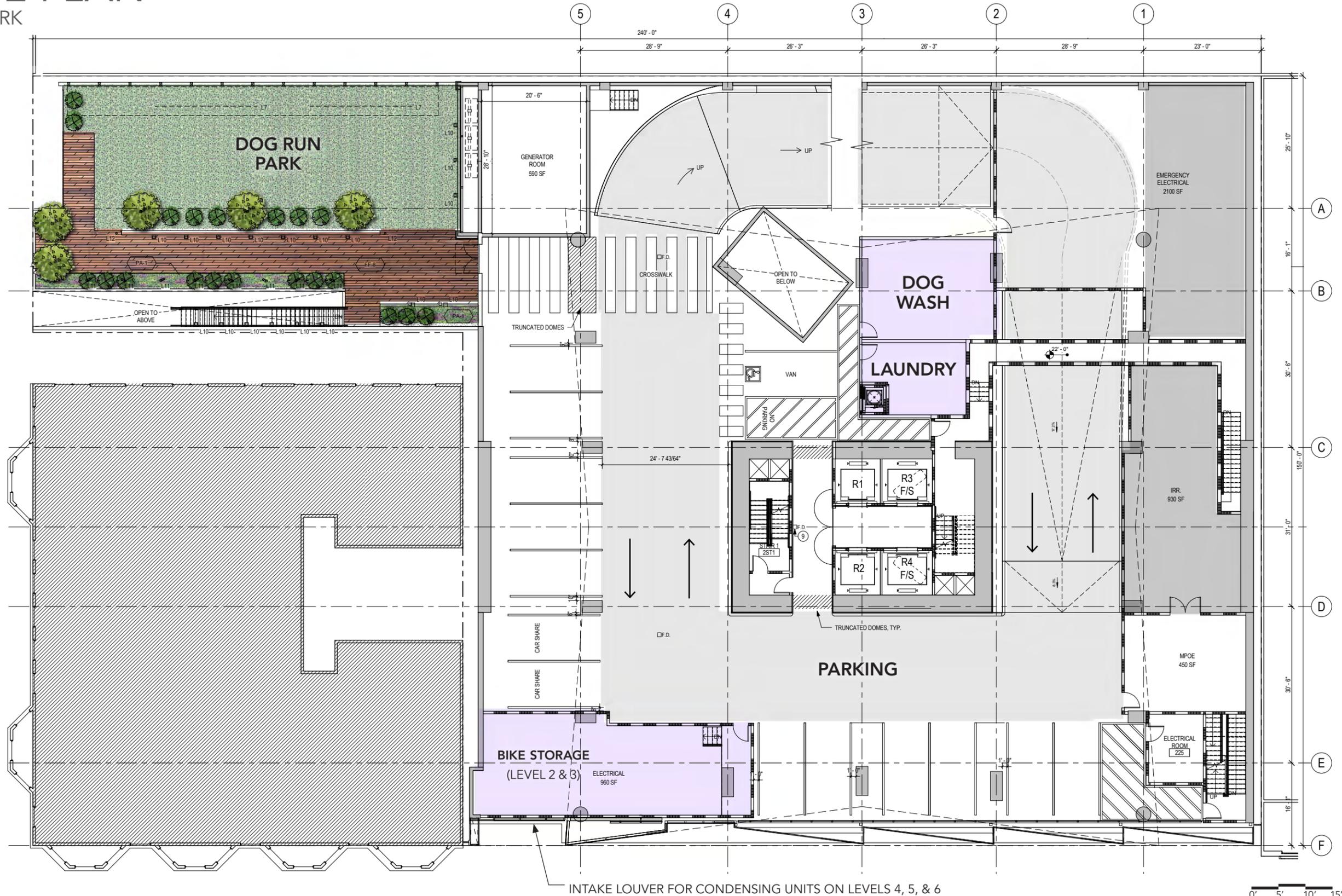
BIKES

19TH ST.
RESIDENTIAL
ENTRANCE



LEVEL 2 PLAN

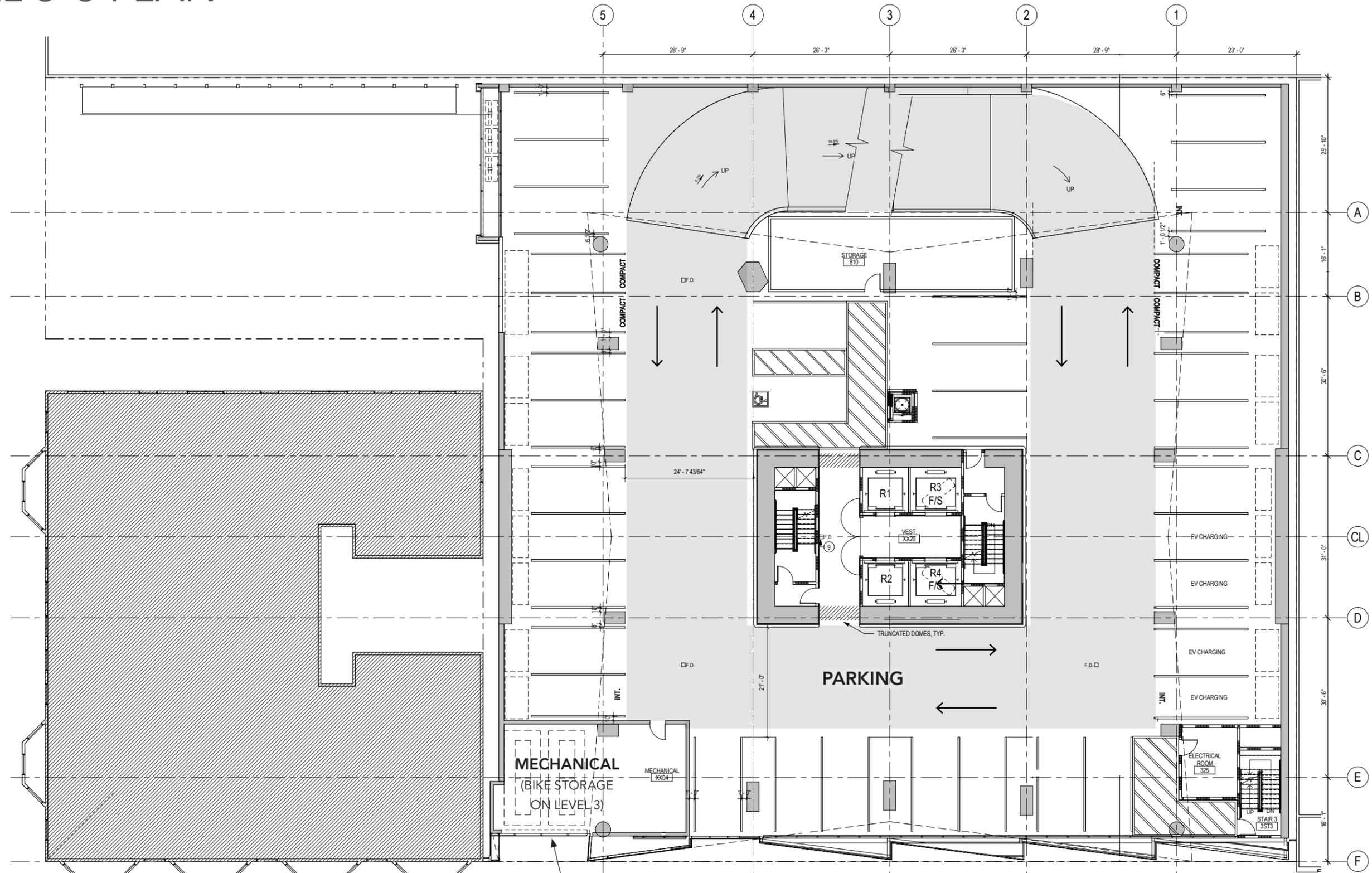
DOG-RUN PARK
CAR SHARE



0' 5' 10' 15'



LEVEL 3-6 PLAN



INTAKE LOUVER FOR
CONDENSING UNITS ON
LEVELS 4, 5, & 6

0' 5' 10' 15'



LEVEL 7 PLAN AMENITY

- FITNESS GYM
- PILATES / YOGA / FLEX
- LAP POOL
- LOUNGE AND TERRACE
- GARDENS
- CHILDREN'S ACTIVITY AND PLAY AREA

PLANTING KEY

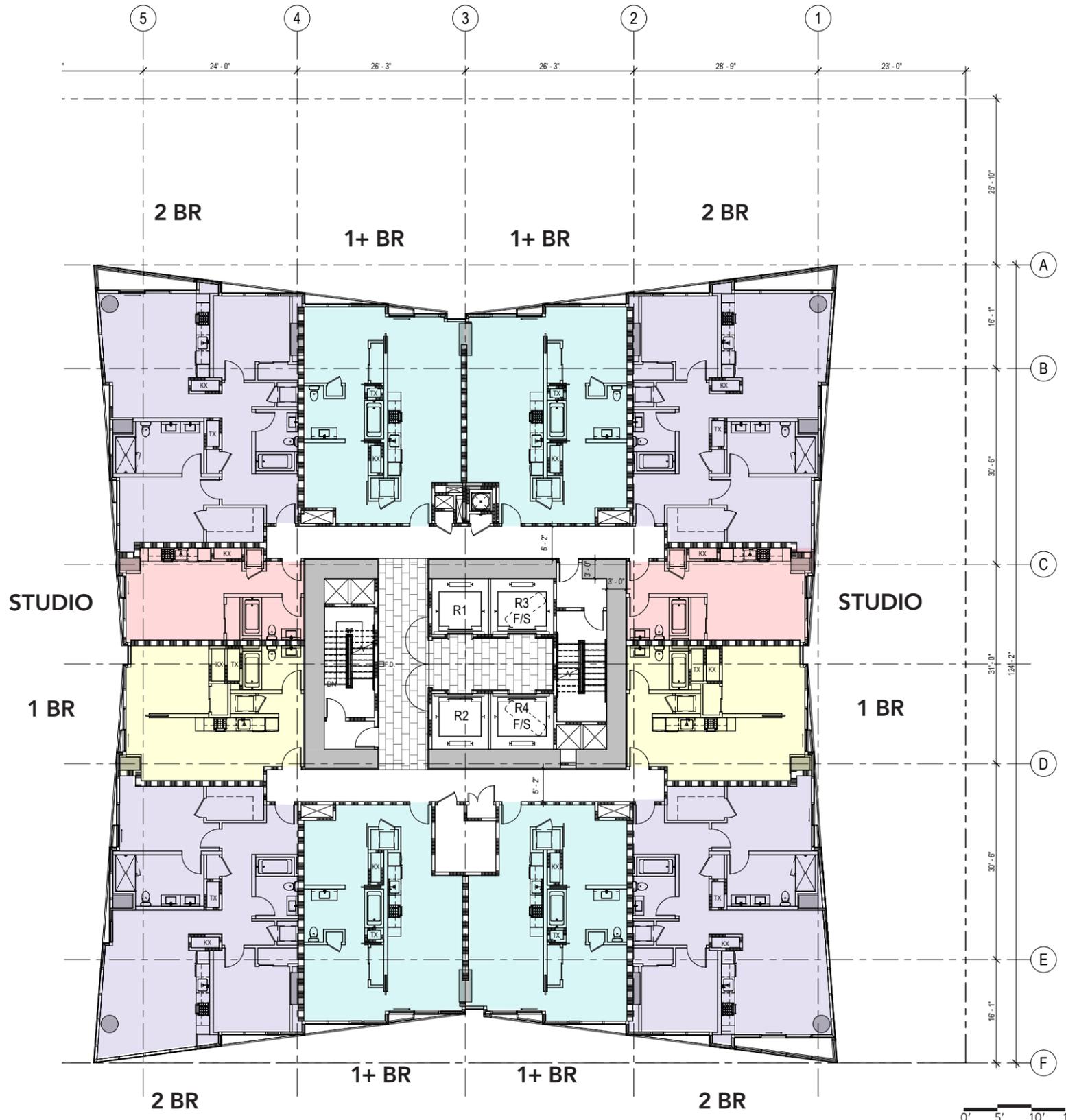
-  PERENNIAL DROUGHT TOLERANT GRASSES, TURF, ROSEMARINUS OFFICINALIS
-  BLOODGOOD JAPANESE MAPLE
-  AUREUM JAPANESE MAPLE

COMMON OPEN SPACE LEVEL 2	= 3,155 SF
COMMON OPEN SPACE LEVEL 8	= 9,060 SF
COMMON OPEN SPACE LEVEL 38	= 2,985 SF
TOTAL COMMON OPEN SPACE	= 15,200 SF
PRIVATE OPEN SPACE LEVEL 26	= 309 SF
PRIVATE OPEN SPACE LEVEL 36	= 754 SF
PRIVATE OPEN SPACE LEVEL 37	= 115 SF
TOTAL PRIVATE OPEN SPACE	= 1178 SF
TOTAL OPEN SPACE	= 16,378 SF



LEVEL 8-19 PLAN

APARTMENT-LOW



LEGEND & UNIT MIX

APARTMENT LEVEL		ST.	1 BR	1+ BR	2 BR	3BR	Totals	
LOW	8-19	COUNT	24	24	48	48	0	144
		AVG SIZE (SF)	406	587	784	1166	0	816
MID	20-26	COUNT	7	14	28	21	7	77
		AVG SIZE (SF)	415	602	795	1161	1667	904
HIGH	27-33	COUNT	0	14	28	21	7	70
		AVG SIZE (SF)	0	598	807	1234	1632	976
PENTHOUSE	34-35	COUNT	0	2	6	8	0	16
		AVG SIZE (SF)	0	743	801	1519	0	1153
TOTAL		COUNT	31	54	110	98	14	307
		AVG SIZE (SF)	408	600	794	1208	1650	892